16. The four Level 2 ordering defects involve unique conditions, with potential impact to only very small volumes of orders. For three of these defects, the Local Service Center ("LSC") captures and corrects the error prior to returning the notification to the CLEC – meaning that there is little, if any, CLEC impact as a result of the defect. The fourth ordering defect involves SBC's failure to reject orders for a feature that is not allowed. SBC's release documentation correctly advises CLECs that this order type is not allowed, which further limits the potential for CLEC impact.

17. The one Severity 1 ordering defect impacts CLECs submitting UNE-P and resale orders on version 6.00, with a same day due date and no field work required. Instead of providing the same day due date, SBC's systems instead are returning a FOC for the standard interval applied to orders that require fieldwork. CLECs reporting this problem are advised to send a supplemental LSR requesting a due date change. This defect was opened on June 23, 2003; SBC is currently working through root cause analysis in order to resolve this defect as quickly as possible.

18. Notably, 23 of the 44 LSOR version 6.00 defects reported as of July 11 have already been corrected, cancelled or targeted for a fix date.

19. In addressing these defects, SBC has followed its normal processes. The defects are ranked and prioritized by severity, so that the defects with the greatest CLEC impact (i.e., those directly impacting multiple CLECs, or a significant number or orders, or heavily impacting only one or a few CLECs) are resolved as quickly as possible. In this regard, SBC works with its CLEC partners to identify the critical defects. For example, if a CLEC ordered complex services in the Midwest region that virtually no other CLEC ordered mechanically, even if total volumes for that order type were low, SBC would

consider that any defects for that order type could seriously impact that particular CLEC. SBC works every day to ensure the proper prioritization is given to all customer requests and issues.[8]

20. As discussed in our supplemental affidavit ("Cottrell/Lawson Supp. Aff.") (Supp. App. A, Tab 3), in April of this year SBC implemented a new Enhanced Defect Report in compliance with the requirements of the CMCP.[9] Unlike the earlier version of the Defect Report, which listed only those defects reported by CLECs to OSS Support managers and/or the Mechanized Customer Production Support Center ("MCPSC"), the new EDR also lists defects internally identified by SBC as potentially CLEC-impacting, as well as those reported by CLECs to the LSC and/or IS Call Center. Thus, while the total number of reported defects has increased accordingly, this increase does not reflect any actual increase in the number of release defects.[10]

21. Rather, the CMCP enhancements, including the EDR and the new Exception Request Accessible Letter notification process have enabled CLECs to assess the impact of a defect on their respective processes and has led to more open discussion concerning

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[8] This is the same process utilized for resolving defects from the version 5.02 and 5.03 releases. The June 30, 2003 EDR contained a total of 155 open defects for all three current releases (5.02, 5.03 and 6.00) with a potential impact in the SBC Midwest region. Of these, 51 have been resolved; 22 are in "production validation" status following the July 17 maintenance release (i.e., the fix has been applied, but SBC is awaiting confirmation from the reporting CLEC that its problem has been resolved); 18 are targets for implementation in the maintenance release scheduled for August 1, 2003; 2 were incorrectly identified on the EDR as impacting the Midwest region; and 9 were identified as documentation issues that should not have been included on the EDR. The remaining 53 defects continue to be analyzed by SBC to identify the root cause and resolution.

[9] See Cottrell/Lawson Supp. Aff. ¶¶ 25-27.

[10] MCI complains that SBC's EDR does not include defects that do not impact CLECs or defects that have been resolved. MCI further alleges that "SBC suddenly removed" the resolved defects from its website. Lichtenberg Decl. ¶ 76. The EDR reflects only potentially CLEC-impacting defects in compliance with CMCP requirements. Further, contrary to MCI's contention, resolved defects are indeed available on the EDR. While it was true that on the old "Defect Report," closed defects were removed daily, the new CMP process requires that closed defects be retained on the "Closed" tab of the EDR for 90 days after closure, and SBC has been in compliance with this requirement since the EDR was initiated in April 2003.

proposed defect fixes and their potential impacts. This, together with the CMCP enhancements to the defect testing process, have contributed substantially to the lack of CLEC impact resulting from maintenance releases in May, June and July of this year.[11]

CLEC CHANGE REQUESTS

22. MCI also complains that CLECs no longer have a "real opportunity" to make change requests and that SBC fails to implement CLEC change requests ("CCRs") in a "reasonable time frame" and fails to inform CLECs in a timely manner on the status of their requests. Lichtenberg Decl. ¶ 79. MCI specifically complains that 14 CCRs, submitted in 2002, have not yet been approved or rejected by SBC. Id. ¶¶ 79-80. MCI mischaracterizes the situation.

23. SBC accepts, prioritizes, and weights CCRs for implementation purposes in accordance with CMP requirements. Status on CCRs is provided at each monthly CMP meeting. Moreover, contrary to MCI's suggestion, the fact that a particular CCR may not be designated as "Approved" on the CMP log does not mean that the request is not being discussed or investigated. For example, although the CLEC-initiated change request for versioning does not have an "Approved" status on the CMP log, numerous meetings have been held with CLECs to discuss the details of request and various options for

[11] Specifically, SBC has established a core team in place with primary responsibility for:
- Working with the pre-order and order subject matter experts to determine whether a reported defect is CLEC impacting;
- Ensuring that CLECs are properly notified (via Accessible Letter or the EDR) of any such defects;
- Validating that thorough and complete internal testing of any proposed changes is planned and executed; and
- Ensuring that appropriate documentation of the test plan and results is maintained.

SBC also has developed methods and procedures for this Team which, among other things, requires that:
- The team approve the test plan for any CLEC-impacting change prior to execution;
- Verify that the expected result is received in testing;
- Investigate any differences between the expected result and the actual result; and
- Verify that positive and regression testing (if required) has occurred and is sufficient.

See Cottrell/Lawson Supp. Aff. ¶¶ 31-33.

implementation. In fact, SBC presented a proposal on versioning in response to this CCR at the July CMP meeting.

24. Further, SBC has implemented a substantial number of CLEC-initiated change requests (approximately 180 since 1998), including 31 CCRs that were initiated by MCI. Moreover, CLEC-initiated change requests are not the only changes that provide benefit to the CLECs, nor are CCRs the only venue available to CLECs for seeking changes to SBC's interfaces. For example:

- CLECs and SBC agreed in the CMP to keep current with Ordering and Billing Forum ("OBF") enhancements. CLECs participating in OBF may request industry-standard enhancements for new LSOG versions – like LSOR version 6.00 implemented by SBC in the June release.
- SBC is implementing flow-through enhancements pursuant to a 24-month plan agreed-upon with the CLECs through collaborative discussions in the CMP.[12] Although initiated by SBC, the change requests for flow through in connection with this plan are a direct result of CLEC input.
- Similarly, the Uniform and Enhanced POR release in April 2002 implemented a 13-state OSS platform with extensive collaboration and input from the CLECs.

25. The CCR log distributed for the July 10, 2003 CMP meeting shows 90 open CCRs, 37 of which were opened prior to 2003, and only three of which are still in "Pending" status.[13] At the July CMP meeting, six CCRs were "Not Approved," four were "Closed,"[14] and four were put into "Monitor" status because they were committed to a release. The remaining 20 CCRs opened prior to 2003 have been approved, but are not yet committed to a release.

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[12] See Cottrell Affidavit ¶ 171.

[13] Status indicators for the CCR log are as follows: "Approved" = A CR has been submitted by Change Management for prioritization to an open release; "Pending" = not yet identified as an OSS issue or an OSS issue that can be implemented; "Deferred" = requires more data or more time in order to properly evaluate; "Not Approved" = not an OSS issue or not an OSS issue that can be implemented; "Monitor" = CR has been committed for a specific release; and "Closed" = CR has been satisfied and was closed with the concurrence of the originating CLEC.

[14] The four "Closed" CCRs were so disposed only after SBC received confirmation from the originating CLEC.

26. MCI complains about a CCR it submitted in November 2002 to permit ordering on Sunday, and alleges that SBC's "only response to date has been that it is still looking at this request to determine feasibility."[15] Id. ¶ 80. MCI's allegations are flatly incorrect. SBC's records indicate that this request was submitted by MCI on February 14, 2003. CLECs were informed that this request was accepted at the May 8, 2003 CMP meeting, which was attended by two representatives of MCI. An SBC Change Request (CR 030476) was issued on June 10, 2003 to allow for Sunday order processing hours for Midwest and SNET. The scope of this effort is large and involves a minimum of 28 ordering and backend systems requirements. This CCR also will require funding identification to provide for additional maintenance support as well some coding changes. Requirements, a Work Request[16] and a Business Case will be drafted during 2003. A target date for implementation will be identified as funding and coding impacts are analyzed. Thus, contrary to MCI's allegation, SBC's handling of this change request is a prime example of how the CMP effectively addresses CLEC change requests.

27. MCI also provides an example of a CCR that AT&T requested in January 2003 asking that SBC provide Daily Usage Feeds ("DUF") by state, and claims that, while the change request was accepted, SBC continues to delay implementation.[17] Id. ¶¶ 81-82. MCI neglects to mention, however, that because this change to SBC's legacy systems will force every CLEC to modify its systems to accept the split DUF, it has been a very contentious issue within the CLEC community – with many smaller CLECs opposing the change due to limited resources. Because of the high level of disagreement over whether

[15] Attachment C contains the CCR log history for this change request.

[16] A "Work Request" is an SBC internal document used to initiate internal changes to SBC.

[17] Attachment D contains the CCR log history for this change request.

to adopt this change, SBC requested via Accessible Letter, CLECAM03-015 (January 21, 2003) (Supp. App. H, Tab 1) that the CLEC community provide input on whether the requested change to the DUF should be implemented. The result of this input was 12 to 11 NOT to split the DUF by state. SBC ultimately reconsidered and decided to proceed with splitting DUF, despite the CLEC vote, as it would bring more consistency across the SBC regions.[18] A Work Request was submitted on May 15, 2003 to apply for this change. The next possible release date available for a change with this scope is August 2004, although that date is not confirmed. It is important to note that this change will directly impact each CLEC that receives DUF today, and implementation any sooner may over-burden the CLEC community by forcing modifications to their systems in a shorter time frame. Although MCI complains about the delay, CLECs will require ample time to prepare.

28. In addition, MCI notes that in 2001 it submitted a CCR to view posted service orders throughout the 13 SBC states, and complains that this CCR was not scheduled for the September 27, 2003 release.[19] Id. ¶ 83. In fact a change request that provides for the implementation of Posted Order Status in the West region, has been committed for the December 13, 2003 release. Implementing this CCR has been a major effort that required the deployment of new databases, structures and associated hardware in the West region. The Midwest region and SNET efforts are still being scoped, as this will again require the development and deployment of basic infrastructure such as databases and associated

[18] This change will bring the Midwest region in line with the other regions in which SBC already sends DUF in state-specific files separated by appropriate headers and trailers; therefore it is a costly but welcome change from SBC's perspective.

[19] Currently, only CLECs serving end users in the Southwest region are able to view posted service orders by using the Order Status Inquiry function in Verigate (the same functionality provided in the application-to-application pre-order interfaces). Attachment E contains the CCR log history for this change request.

hardware prior to the deployment of the Posted Order Status application itself. This scoping includes the funding and prioritization required for an effort as large as this project. Once these processes are complete, a target release date can be assigned.

29. MCI also raises issues with SBC's CLEC User Forum ("CUF") and complains that the CUF has numerous open issues, 11 of which were opened in 2002 or before. Id. ¶ 84. As of July 9, 2003, there are eight open issues from 2002 or before on the latest log. Broad issues are being addressed here that cannot be resolved in a few months time. This same log shows that nine issues were closed in 2002 and nine have already been closed in 2003.

30. Finally, MCI alleges that SBC "often simply dismisses [CCRs] as unimportant," and provides as an example the CCR requesting "unreject" capability in current LSOR versions.[20] Id. ¶ 87. MCI's allegation that SBC dismisses CCRs as unimportant is completely untrue, and it misrepresents the facts surrounding SBC's handling of the "unreject" CCR. In fact, SBC takes each and every CLEC-initiated change request very seriously and the example MCI holds out is a case in point. The CCR log indicates that this CCR was opened on June 11, 2002. SBC's preliminary analysis indicated this functionality would require major rework for SBC. SBC requested that this CCR be given "Deferred" status to be revisited in April 2003, because SBC was in the midst of preparing for the Business Rules POR implemented in March 2003. However, in November 2002, another CLEC raised this issue and SBC agreed to follow up on the request.

[20] This capability was provided in the SBC Midwest region for LSOR version 4.02.

31. Before the December 2002 meeting, SBC's change management team met with SMEs, but reported that the SBC SMEs needed additional time to determine the scope for this project and changed the status for this CCR to "Pending." As seen in the CCR log history for this CCR,[21] this issue was discussed in CMP meetings in February, March, May, and June. During this time, the CMP team, as CLEC advocates, continued to raise the issue within SBC. In each meeting, SBC reported that this CCR would not be approved, yet CLECs requested that the team continue to bring back additional information and status. In the July 2003 CMP meeting, SBC officially closed the CCR as "Not Approved."

32. Although this CCR was not successfully approved and scheduled for implementation, that certainly does not mean that the CMP did not work. Indeed, this example is a perfect illustration of how the CMP process works. Specifically, SBC's handling of this CCR is an example of how, even though this CCR was put into "Pending" status, SBC reopened it at the request of the CLECs. It is also an example of how, even though the CCR was denied by SBC SMEs, the CMP team kept the CCR open and continued to try to satisfy CLEC requests.

33. Clearly, not all change requests – whether they are submitted by CLECs or by SBC can be implemented, perhaps due to costs, or to the scope being too large for the benefits provided, or there simply may not be the support required for approval. Even SBC change requests fall by the wayside for these reasons. But for each change request, SBC follows a proven process set forth in the CMP and tries to improve that process whenever possible. SBC does not "dismiss" CCRs as "unimportant" as alleged by MCI. To the

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[21] See Attachment F.

contrary, the very example that MCI provides demonstrates that SBC followed the process and continually worked the issue on behalf of the CLECs.

CLEC ISSUES

AT&T (911 AND LINE SPLITTING)

34. AT&T describes an incident where one of its line splitting end users called 911 and was notified that the address displayed at the answering point was not the correct address, but was the address of the central office serving the end user. Declaration of Sarah DeYoung ¶¶ 9-11, attached to Comments of AT&T Corp., Application by SBC Communications Inc., et al., for Authorization to Provide In-Region, InterLATA Services in Michigan, WC Docket No. 03-138 (FCC filed July 2, 2003) ("DeYoung Decl."). Upon investigation of this incident, SBC Midwest determined that the LSC methods and procedures ("M&P") instructed LSC service representatives to populate the central office location as the service address on service orders created for the provisioning of ULS-ST ports.[22] SBC Midwest's LSC M&P have been updated to reflect that the service address field should always be populated with the end user service address on all ULS-ST ports; this updated documentation has been provided to all appropriate service representatives.

35. This error occurred only on service orders for line-splitting that were manually handled by the LSC. SBC Midwest's systems were and are correctly programmed to populate the end user's location as the service address on line-splitting orders that flowed through to provisioning without need of manual handling. Additionally, SBC Midwest has

[22] Population of the central office location as the service address was intended to ensure that, if maintenance for this circuit were required, SBC Midwest technicians would be dispatched to the central office – not the end user's address.

confirmed that no other M&P for stand-alone switch port products require use of the central office location as the service address.

36. After being notified of the problem with this line, investigating the root cause and implementing the process change identified above, SBC Midwest undertook a review of the embedded base of ULS-ST ports in the Midwest region. Of approximately 250 such ports reflected in the ACIS database for the Midwest region, approximately 50 contained the central office rather than the end-user location as the service address. SBC Midwest issued service orders to correct the customer service records for these accounts to reflect the end-user's location as the service address. SBC Midwest also confirmed that the 911 database was updated through this service order process to reflect these same address corrections. This process, which also involved a complete review of LSR reports in order to make sure that no account was missed, was completed in early July.

37. AT&T and MCI complain that CLEC partners in a line splitting arrangement must use the same version of EDI when they submit requests for line splitting. DeYoung Decl. ¶ 23; Lichtenberg Decl. ¶ 51. AT&T further claims that although SBC "might be willing" to consider system changes to allow CLEC partners to use different version of EDI, SBC has not provided details of such changes in writing. Moreover, according to AT&T, SBC offers no current, workable process to accommodate line splitting partners. DeYoung Decl. ¶ 24.

38. As discussed in the Cottrell/Lawson Supplemental affidavit, and thoroughly explained in SBC's July 7 Ex Parte, the CLECs (including AT&T and MCI) have agreed in the CMP that third-party ordering would best be handled through an LSR-based agency arrangement, which will utilize the OBF-defined Local Service Provider Authorization

("LSPAUTH") field and the Company Code ("CC") field on the LSR to denote which entity is placing the order and which entity is the account owner. See Ex Parte Letter from Geoffrey M. Klineberg, Kellogg, Huber, Hansen, Todd & Evans, P.L.L.C., to Marlene H. Dortch, FCC, WC Docket No. 03-138 (July 7, 2003) ("July 7 Ex Parte"). Barring any unforeseen developments, SBC has committed to implement the LSR Agency process in the quarterly release currently scheduled for March 13, 2004.

39. The LSR agency process requires extensive logic changes. The CC field is currently used today for both the owner of the account and the party submitting the request. After the change, if the LSPAUTH field is populated, all of the validations relating to the owner of the account need to use the LSPAUTH value and not that of the CC field. These changes need to be made in multiple applications across the four SBC regions.

40. In order to comply with all Change Management requirements, all release requirements for the quarterly release scheduled for March 13, 2004 must be completed by the end of July 2003, with final business requirements and a prioritized list of enhancements forwarded to SBC's Information Technology ("IT") organization by the middle of August. Systems design work to implement the release will be conducted by IT until the end of September. Based on that work, initial requirements will be distributed to the CLECs no later than October 13, 2003, with final requirements due no later than November 24, 2003. See CMP § 3.3 and subsections (Attachment N to the Cottrell Affidavit). Internal code development will continue until the end of December, at which time internal testing will begin. The code then will be released for CLEC testing in early February, at least 37 days prior to implementation. See CMP § 3.3.7.

TDS Metrocom

41. TDS Metrocom alleges that SBC's test environment "differs substantially" from its production environment and problems that do not appear during testing are experienced in the production environment when exactly the same ordering information is entered into the system. Affidavit of Rod Cox ¶ 34, attached to Comments of TDS Metrocom, Application by SBC Communications Inc., et al., for Authorization to Provide In-Region, InterLATA Services in Michigan, WC Docket No. 03-138 (FCC filed July 2, 2003) ("Cox Aff."). TDS Metrocom brought two issues to SBC's attention related to experiencing rejects when it moved to production on LSOR version 5.03 that it did not receive in the test environment. Upon investigation, SBC discovered that the LSC representative for the CLEC test environment failed to recognize that TDS Metrocom's LSRs should have been rejected. SBC has reinforced with the LSC representatives that the same tools, guides, and checks used in production also need to be used for CLEC testing.

42. TDS Metrocom complains about a cross boundary issue, where its customers reside in South Beloit, Illinois, but the central office serving these customers is located in Wisconsin. Cox Aff. ¶ 34. Because of the conflict between the Wisconsin central office circuit ID (or ECCKT) and the end user's Illinois location, SBC's systems were rejecting TDS Metrocom's orders for South Beloit.[23] SBC has addressed this issue by arranging for these orders to drop to the LSC for manual handling. Currently, TDS Metrocom must change the Wisconsin ECCKT for south Beloit end users to reflect an Illinois ending.

[23] This issue first appeared in April 2002 and SBC developed a work around for LSOR version 4.02. When TDS Metrocom migrated to LSOR version 5.03, the same problem reappeared and SBC developed a workaround for LSOR version 5.03.

This causes the LSR to drop to manual where the LSC corrects the circuit ID and the orders are provisioned appropriately. SBC is in the process of implementing a change so that TDS Metrocom will no longer be required to alter the circuit ID on these LSRs.

NALA

43. The National ALEC Association/Prepaid Communications Association ("NALA") has complained that SBC's imposition of a flat-rate monthly charge for OSS access in the Southwest region is inappropriate, and that SBC could assess a similar flat-rate charge in other states, including Michigan. Comments of National ALEC Association/Prepaid Communications Association, Application by SBC Communications Inc., et al., for Authorization to Provide In-Region, InterLATA Services in Michigan, WC Docket No. 03-138, at 7-8 (FCC filed July 2, 2003) ("NALA Comments"). NALA's concerns are unfounded. First, access to OSS charges were approved as part of cost proceedings by the state public utility commissions in Texas, Missouri, Oklahoma, Kansas and Arkansas, and subsequently were incorporated into CLEC ICA agreements for those states. These charges were waived for 36 months as part of the SBC/Ameritech merger conditions, and were reinstated appropriately. However, in the Midwest region, the state commissions have not approved discrete rate elements for access to OSS. Accordingly, contrary to NALA's assertions, SBC could not simply "assess" a separate charge for OSS access in any of the Midwest states. Should SBC seek the establishment of a separate rate for OSS access in the future, those efforts would be subject to normal procedures, including negotiations between the parties, cost docket proceeding before the appropriate state commissions, etc.

UPDATES

44. Although the following issues were not expressly raised by CLECs in their supplemental comments, SBC Midwest is providing these updates to the record:

POST TO BILL UPDATE

45. As discussed in the Cottrell/Lawson Supplemental Affidavit, ¶ 48, SBC provided CLECs in the Midwest region with Accessible Letter CLECAMS03-028 (Apr. 7, 2003) (Supp. App. J, Tab 4), advising of two circumstances (discovered on March 26, 2003) that resulted in a failure to timely deliver Post to Bill ("PTB") notifications.

46. As set out in that Accessible Letter, SBC implemented additional manual verification procedures designed to ensure that file transfer failures, such as the failure that occurred on January 28, 2003, were identified and corrected in a timely manner. Pursuant to this process, the team responsible for the applications that created the input file would send an e-mail notification to key team members responsible for the receiving application when the file had been transferred. Once the file was processed, an e-mail notification was sent to the originating application team members with a count of the total number of records processed. This record count was then compared to the original count for the input file to ensure that all records were processed. Any glitches or discrepancies could be investigated immediately, since all parties were manually monitoring the process.

47. As noted in the Accessible letter, this manual process was put in place pending enhancements to SBC Midwest's automated monitoring process. Mechanized verification steps, designed to ensure the proper hand-off and receipt of the file, as well as the sequential processing of each file, have since been developed and implemented.

Specifically, automated "cycle counters" are associated with each input file. Each time a new iteration of the input file is created, the cycle counter is increased by one. Additional edits have been added to the application that processes these input files to require that files be processed in sequential order. If the application receives a file with a different cycle counter than the one it expects, processing halts and application support personnel are automatically paged by the Operating System (this paging occurs without human intervention). The "out of sequence" condition must be resolved before processing can continue, thus acting to ensure that input files are not missed.

48. The Cottrell/Lawson Supplemental Affidavit also provided information on a PTB failure that occurred May 14-22, 2003, as described in Accessible Letter CLECAMS03-041 (June 5, 2003) (Supp. App. J, Tab 6). Id. ¶¶ 50-51. As noted in the letter, the problem occurred because not all the programming for a software patch implemented during the May 14 maintenance release was properly documented. Following this incident, the need for ensuring complete and accurate release documentation was re-emphasized to all employees involved in the implementation of this particular software patch, as well as all employees performing similar tasks.

49. The programming in this case was not properly documented because a change was agreed to on a verbal basis, and the procedures that require all code fixes to be documented in the System Requirements of the application were not followed. SBC is committed to maintaining complete and accurate System Specifications for its applications, to make sure that all aspects of a programming change are fully tested and evaluated for potential impacts to the CLECs and to SBC. Subsequent to this incident Industry Markets and IT personnel were made aware that processes had not been followed and that, as a result of

that failure, PTB notifications were not provided to CLECs. The procedure and its importance were re-emphasized to team members at all levels. The IT teams were reminded that they must declare all changes; ensure that the documentation reflects all changes that are being made; ensure that the System Testing team is aware of all changes as they plan and execute their test conditions; and ensure that potential CLEC impact is properly evaluated. The Industry Markets team was reminded that all changes must be documented in Business Requirements and must be fully evaluated before acceptance.

50. In order to further ensure proper PTB delivery to the CLECs, a manual daily report of the total data records processed has also been implemented. This report provides a cumulative view of the daily results from processing the records, including the number of PTB notifications sent and the number of requests that are waiting for additional service order completions before the PTB can be generated. This report is distributed daily to key members of the IT and Industry Markets teams, including the IT Executive Director responsible for the Notifications process. Each person is responsible for reviewing the report daily to identify any discrepancies, enabling identification and resolution of anomalies without delay.

MECHANIZED NOTIFICATIONS FOR ERRONEOUS COMPLETIONS

51. The implementation of a mechanized notification for erroneous completions would be worked through the CMP. Based on a review of CMP records, no CLEC has requested the implementation of such a mechanized notice. SBC has not investigated a different process, but a mechanized process potentially could be developed subject to CMP guidelines.

52. Notably, the volume of erroneous completions is small. As discussed in the Justin W. Brown Reply affidavit, during the 5 month period from September 2002 through January 2003, LSC records indicate only 111 instances of erroneous completions for all CLECs in all 5 SBC Midwest states. See Reply Affidavit of Justin W. Brown, attached to Reply Comments of SBC Communications, Application by SBC Communications Inc., et al., for Authorization to Provide In-Region, InterLATA Services in Michigan, WC Docket No. 03-16 (FCC filed Mar. 4, 2003) (Reply App., Tab 2).

PRE-ORDER INTERFACE OUTAGES

53. In its March 17, 2003 Ex Parte, SBC responded to an AT&T complaint related to CORBA outages. See Ex Parte Letter from Geoffrey M. Klineberg, Kellogg, Huber, Hansen, Todd & Evans, P.L.L.C., to Marlene H. Dortch, FCC, WC Docket No. 03-16 (Mar. 17, 2003) ("March 17, 2003 Ex Parte"). Specifically AT&T claimed that it coded its side of the CORBA interface using the Interface Definition Language ("IDL") promulgated by SBC for version 5.02 of that interface and that SBC assured AT&T that (with one exception related to the CSI Summary) the published IDL for version 5.03 was identical to those for version 5.02. See Joint Reply Declaration of Sarah DeYoung and Walter W. Willard ¶ 45, attached to Reply Comments of AT&T Corp., Application by SBC Communications Inc., et al., for Authorization to Provide In-Region, InterLATA Services in Michigan, WC Docket No. 03-16 (FCC filed Mar. 4, 2003). AT&T claimed that when it compared the two versions, however, it found numerous differences, and that these "unannounced [] changes" resulted in AT&T experiencing "marshalling errors" that lead to "more than 18 minutes of CORBA pre-order outages for AT&T each day." Id.

¶ 48. In wrongly asserting that SBC is responsible for AT&T's outages, AT&T has distorted the facts.

54. In its ex parte, SBC explained that it had made no changes to the IDL specifications on its website and therefore AT&T's claim that "unannounced" SBC changes as the cause of AT&T's CORBA outages was not correct. See March 17, 2003 Ex Parte. Rather, any problems encountered as a result of the CORBA IDL resulted from AT&T using the wrong IDL specifications.

55. Since the March 17, 2003 Ex Parte was filed, SBC had determined that the IDL AT&T claimed to have been using was a pre-production version of 5.00 IDL that only was on the SBC website from December 13, 2001 until December 28, 2001. Internal SBC testing identified problems with that early version, and a corrected IDL was provided in an Accessible Letter (CLECALLS01-027), dated December 20, 2001 (App. K, Tab 7). After a December 27, 2001 CLEC walk through, the corrected IDL replaced the faulty version on the SBC website. This IDL was for version 5.00 of the CORBA pre-order interface, which notably did not go into production until April 2002. There were no changes required for version 5.01 or 5.02, and the only change for version 5.03 was the addition of the CSI summary function (also mentioned in the March 17, 2003 Ex Parte). Thus, the IDL version that was posted on SBC's website on December 28, 2001 will still work correctly today.

56. If indeed SBC had made a change, as AT&T alleges, it would have affected every CORBA Pre-order user. Because no CLEC other than AT&T has complained of a similar problem, it is clear that the issues raised by AT&T were not caused by SBC.

57. AT&T began testing CORBA version 5.02 in October 2002 and went into production in December 2002. Had AT&T used the IDL that was posted on the SBC website anytime after December 28, 2001 (nearly one year before it went into production on CORBA version 5.02), this problem would not have occurred.

58. The EDI pre-order issues raised by MCI were not necessarily caused by MCI. SBC noted in the March 17, 2003 Ex Parte that EDI pre-order time-outs and slow response times occurred on four days at approximately the same time of day. SBC discovered that one CLEC (not MCI) was improperly populating an entry in the wrong field, which caused the system to pull entire CSIs for every TN inquiry rather than basic information. This, in turn, caused the system slow down and once that CLEC was advised of its mistake and made appropriate adjustments to its process, no additional problems were detected. There were at least two additional issues discussed in this ex parte, and in one incident, SBC reconfigured its firewall, eliminating the problem. In the last issue, no problem was detected.

59. SBC records outage time for its interfaces, which then figure into the calculation of the performance measures.

WORKING SERVICE IN CONFLICT ("WSC")

60. The Cottrell/Lawson Supplemental Affidavit confirmed that a mechanized jeopardy for WSC (scheduled for implementation in September), will be deployed for use in all 13 SBC states. Pending that implementation, the manual WSC notification process implemented in response to CLEC requests and in accordance with CUF guidelines, remains in effect.

61. Direct contact with the end users is necessary to resolve a WSC and, while CLECs may have suggested that SBC could contact the end-user on behalf of the CLEC for that purpose, there are numerous difficulties involved in implementing such a process. In addition to the practical difficulties described in SBC's March 17 Ex Parte,[24] interconnection agreements provide that "each Party will refer all questions regarding the other Party's services or products directly to the other Party at a telephone number specified by that Party." See, e.g., SBC 13-State Generic Interconnection Agreement, General Terms and Conditions, § 38.1 (App. B, Tab 11). Questions required to resolve a WSC (i.e., whether the service requested by the end-user is intended as an additional line), constitute questions regarding "the other Party's services or products" as described in this contract language.

62. Nor would contacting the end-user to resolve a WSC be equivalent to an end-user contact for maintenance and repair purposes. Resolution of a WSC is part of the ordering process. Any contact between SBC and the CLEC's end-user would occur before the transactions necessary to convert the end-user to the CLEC has occurred in SBC's systems. By contrast, maintenance and repair contacts by SBC service personnel occur only after the end user has been converted to service provided by the CLEC, and then only after express authorization by the CLEC via the trouble ticket request for repair.

CONCLUSION

63. Pursuant to Part II. E. of the Consent Decree entered into between SBC Communications Inc. and the Federal Communications Commission, released on May 28, 2002, see Order, In the Matter of SBC Communications, Inc., 17 FCC Rcd 10780 (2002), we hereby

[24] See March 17, 2003 Ex Parte, Attachment A at 8-9.

affirm that we have (1) received the training SBC is obligated to provide to all SBC FCC Representatives; (2) reviewed and understand the SBC Compliance Guidelines; (3) signed an acknowledgment of our training and review and understanding of the Guidelines; and (4) complied with the requirements of the SBC Compliance Guidelines.

64. This concludes our affidavit.

STATE OF ILLINOIS)
)
COUNTY OF COOK)

I declare under penalty of perjury that the foregoing is true and correct. Executed on

JULY 18, 2003.
(date)

MARK J. COTTRELL

Subscribed and sworn to before me this 18 day of July, 2003.

Notary Public

OFFICIAL SEAL
EDITH SMITH
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES: 10/21/04

STATE OF TEXAS)
)
COUNTY OF DALLAS)

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 18, 2003.
(date)

Beth Lawson

Beth Lawson

Subscribed and sworn to before me this 18 day of July, 2003.

MARY A. JORDAN
Notary Public, State of Texas
My Commission Expires
DECEMBER 4, 2003

Mary A Jordan

Notary Public

Cottrell/Lawson Supplemental Reply Affidavit – Attachment A